

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

oplication of:

Michael W. Graham

Serial No.: 10/821,710

Confirmation No.: 5968

Filed:

April 8, 2004

For:

Control of Gene Expression

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Group Art Unit: 1636

Examiner:

Daniel M. Sullivan

MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE UNDER 37 CFR 1.10** 

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited on 12/21, 2005 with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing label No. EV668240354US addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12/21/2009 Date

Signature

#### REQUEST FOR NON-ENTRY OF AMENDMENT

Applicants respectfully request non-entry of the Response mailed on August 25, 2005 to the Final Office Action dated June 29, 2005.

Respectfully submitted,

Mireille C. Perret

Registration No. 47,854

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Agent for Applicant(s)



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### PRELIMINARY AMENDMENT

Prior to examination, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks begin on page 4 of this paper.